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nicipal educational educators, who would in turn direct the children. The corresponding would then begin. The governments might well allow these letters to pass between the countries free of charge or, if impracticable, furnish postage. If the government would not do this, then the cost of stamp supply, etc., should come out of the educational expense of each county, State, or municipal educational appropriation.

The American child would write to the Chilean child in plain English, while the one in Chile would answer in Spanish. These letters would be read in the school-room and translated, with the aid of the Spanish teacher. In Chile, again, they would be translated from English. One child in the room would ask for information regarding the climate of a certain district; another about the school system; another about the games, pastimes, or manners of the other nation's children. All in the same room or class would obtain the same information first hand and all would receive the same benefits. The

plan could even be so arranged that of the thirty children in a room different divisions of them would write of different stages of our own history or of facts about our government, geography, and so on. Before sending them off, the letters could all be read by the writers to their classmates. Thus all would learn more about their own country. Not only this, but they would have obtained practise in research work before writing, and while writing they would be more careful with their grammar than otherwise. They would naturally take a certain pride in their composition.

The advantages of this little plan are manifold. It can cost little, either in money or effort—less than nothing in comparison with the benefits to be received, both for the child and for the two countries in the years to come. Indeed, it is so reasonable a step toward peace, education, and a true pan-Americanism that I do not see why we should not try it.

THE LEAGUE TO ENFORCE PEACE AND ITS ALLEGED DEFECTS: A REPLY

By SYDNEY RICHMOND TABER

The author of this interesting defense of the League to Enforce Peace kindly consented that we present it to Mr. Alpheus H. Snow, that Mr. Snow's reply might appear also in this issue. Our readers will appreciate the opportunity of reading them together.—THE EDITORS.

THE ADVOCATE OF PEACE for July, 1916, contained an article by Mr. Alpheus H. Snow, entitled "Cooperation *vs.* Compulsion in the Organization of the Society of Nations," which amounts to a criticism of the League to Enforce Peace.

The first point of attack, which is emphasized in the title, is the alleged feature of "compulsion." "The constitution of the proposed league," says Mr. Snow, "may be construed as providing that the league shall compel its members to submit to having their disputes with other members submitted to adjudication or conciliation, or as providing that the league shall punish or abolish any nation refusing to submit to adjudication or conciliation." It would be difficult to imagine a more complete misstatement of the plan under review. The league proposes to afford facilities for composing international differences. Disputants, however, would be under no compulsion whatever to make use of them. But what the league does undertake to do is to prevent a resort to arms as a substitute for utilizing such facilities. The word that ought to be emphasized is not *compulsion*, but *prevention*. The difference will be readily seen by considering the case of a dispute between two States of the American Union. If a controversy should arise between New York and Ohio, for instance, they would have the privilege of having the same determined by the Supreme Court of the United States. The Federal Government would not compel them to submit to that tribunal; it would be left to the States themselves to decide whether or not to exercise that privilege. But if the militia of New York should in-

vade Ohio and lay siege to the city of Columbus, then the United States Government would be under the justifiable necessity of using its military forces to prevent a mode of settling the dispute that would bring distress upon the whole country. The distinction is not fanciful, but vital. The right of a State to compel the striking employees of a corporation to submit their grievances to arbitration is a matter for argument; but there is no shadow of question about the right—nay, the duty—of the State to vigorously prohibit the strikers from demolishing the corporation's buildings and from killing the strike-breakers. The League to Enforce Peace has not committed itself to the questionable plan of compelling submission to either arbitration or conciliation, but it proposes a way by which society (not of one nation, but of the world) may exercise its unquestionable right to protect itself against total or partial destruction.

Objection is also based on the fact that the plan is "imperfect"—that no provision is made "for an executive to wield the force of the Union, nor for a permanent legislature to determine how the force is to be used," and that it is dangerous to use a force except in aid of powers "which are constitutionally and legally limited by a fundamental constitution." The plan is "imperfect," admittedly. No attempt is made to perfect it at the present stage. It constitutes no "counsel of perfection," but a mere skeleton to be filled in as time goes on and according to developments. Had the scheme been born full-fledged, with an elaborate attempt to divide and subdivide all possible functions and to anticipate all international exigencies, it is easy to imagine how the critics would have riddled it with scorn—every detail serving as a hook on which to hang an objection. Such criticism has fortunately been averted by the wisdom of the promoters. It is amusing to find

that they are now subjected to criticism because they refrained from making that mistake. There is nothing in the league's plan that is obnoxious to having an executive or a permanent legislature or a "fundamental constitution;" these may come in good time; but it is surely premature at the present to thus attempt to discount the future. Criticism on this score would find a parallel in the following situation: A community, let us suppose, has from its very beginning been cursed with a frequently recurring pestilence; many kinds of medical remedies to stay the plague have for generations been tried in vain; finally, upon the occasion of an outbreak so virulent and widespread as to threaten the very life of the community, some one proposes the building of a hospital; at once the objection is offered that no provision is made for choosing the superintendent or the board of managers or the staff of physicians and nurses; that the experience of mankind warns of the danger of wielding the power of medical treatment unless the same is limited by rigorous by-laws, and that the scheme is hopelessly imperfect and absurd.

Mr. Snow then proceeds to state further objections in the interrogative form: "What 'question' in a given case is to be 'submitted' of all the questions which are possible to be regarded as the questions in dispute when great nations . . . stand . . . on the verge of war?" Fortunately for the success of the plan, the league does not propose to concern itself with the choice of possible questions to be submitted. The burden of making that choice would rest on the nations between which such questions may arise. After providing the means of arbitration and conciliation, the league's only duty would be to enforce peace by preventing war.

"What is a 'submission' of a dispute to arbitration or to conciliation?" This question may be answered by asking another: What is submission of a dispute to the Supreme Court of the United States or to the Federal Board of Mediation and Conciliation in industrial disputes?

"What is an act of hostility?" The answer will be found in any book on international law. "What is economic force?" The embargo and the blockade will serve as illustrations. "How shall it be used in a given case?" The answer will be evident when the case is given.

"What shall happen if both, or all, the nations between whom questions arise insist that they will not submit their dispute to adjudication or conciliation, and proceed to fight, regardless of the rest?" The league, by its paramount force, would stop the fight.

"Is it permitted, when both parties to the dispute violate their obligations as members of the league and engage in war, that the others may be neutral, or must the non-disputants fight both the disputants?" The league would, of course, be neutral; as pointed out before, it would have no concern in the merits of the controversy; the duty of the non-disputants would be to suppress both disputants, because both would be law-breakers. If it be objected that some of the non-disputants, notwithstanding their solemn undertaking to the contrary, might refuse to proceed against one of the disputants whose cause they might have espoused, it may be replied that the same is true of some of the members of a State constabulary with respect to rioting union

laborers; but does the possibility that State constables may violate their oaths furnish a sufficient reason for disbanding the constabulary and allowing the riot to continue?

"Would a member of the league which felt that both belligerents had violated its provisions be able to claim any rights or perform any duties as neutrals, if other nations of the league held that only one of the belligerents had violated the constitution of the league?" That "only one of the belligerents" should have "violated the constitution of the league" is an impossibility, in fact; for the reason that it takes two to make a fight, and the making of the fight would be a "violation of the constitution" on the part of both of the belligerents.

Mr. Snow objects to putting into operation "economic force," because it "inevitably injures both combatants and non-combatants," because it "recoils upon those who use it," and because it "sets back civilization generally"—all of which is true, though in vastly greater degree, of war, which economic force would be used by the league to prevent. It certainly might become a terrible punishment, but one not too severe for the double crime of precipitating the infinitely greater horrors of war, and of violating the most solemn of agreements. In fact, the mere prospect of such severity would probably be enough to deter a bellicose nation from so conducting itself as to bring that punishment upon it. Besides, a nation against which economic force had been put into operation could relieve itself at any time by simply consenting to stop fighting.

After criticising the plan of the league because it contains no provision for an executive or a legislature, Mr. Snow objects to having the plan amended so as to include those features. "If these are added," he says, "the plan becomes one for establishing a Federal State out of widely-separated nations." Well, that ultimate result will not appear to most as a great calamity. Why is it objectionable? Because "the failure of the Imperial Federation movement in the British Empire shows that a Federal State composed of non-contiguous States or nations is an impossibility." The reference to the British Empire in this connection is an unfortunate one for Mr. Snow's case, in view of the brilliant demonstration—furnished during the past two years, if never before—that "a Federal State composed of non-contiguous States," so far from being an impossibility, is capable of being a most conspicuous success.

The criticism that the league "would arouse suspicion and jealousy on the part of the omitted nations" is answered by Mr. Snow himself in his very next sentence: "The league . . . would have to be so completely dominant over all nations outside it that those nations—either separately or in alliance—would never dare to attack it or any member of it." He thus expresses exactly the expectations of the league's advocates. But such a "dominant league" would, in Mr. Snow's view, constitute an "oligarchy which would itself ultimately be ruled by the nation or nations controlling the sea." If the "oligarchy" succeeded in preserving the peace of the world, the prejudice that now attaches to the ugly word would probably be forgotten. But the fear that some other nation or nations would "rule" it is without foundation, for the simple reason that the function of "controlling the sea" would, from the begin-

ning, appertain to the league itself. That, of course, is a *sine qua non* of the scheme. Mr. Snow himself perceives the essential character of this feature, for he says: "A league of separated nations must, in order to live, be dominant at sea, and probably also on land and in the air." But with a resourcefulness in criticism that compels admiration, he complains that such a league "would tend to be" a "supernational authority," and that "if there were several such leagues, they would fight until one of them became the supernational authority." If the meaning of the phrase be rightly apprehended, it may be admitted that the league would—not "*tend* to be," but would at the start—be a "supernational authority" in such a sense that the fighting proclivities of any other leagues would be promptly suppressed.

Finally, "the plan exposes all nations to new and real dangers." In what do they consist? The hope of the promoters that "the mere existence of the league and the fear of joint action will keep the peace" may prove groundless, and if so the result will be—war. That is the "new" danger to which the league exposes all nations! Although comment seems superfluous, it may be remarked that Mr. Snow's position suggests that of an objector to the erection of a school in an illiterate community, on the ground that, if the hopes of its promoters should be disappointed the result would be—illiteracy!

The proposals of the League to Enforce Peace are probably susceptible to improvement, and will undoubtedly be amended to meet any well-founded criticism that may develop; but until there appear objections of greater weight than those raised in the article referred to, its advocates will feel justified in continuing to commend it to the enlightened opinion of mankind.

A REPLY

By ALPHEUS H. SNOW

THE above article is most welcome. It is an attempt to defend the League to Enforce Peace on reasonable grounds. One notes with interest that the author is careful to admit the imperfection of the plan, thus establishing a means of escape for the League in case the fires of criticism become too hot. For this course he has abundant precedent, since up to this time the leading advocates of the League have appeared to rely upon its imperfection as its chief virtue.

This attempt to use imperfection as a shield against criticism is inadmissible. The founders of the League to Enforce Peace are distinguished citizens of mature age and practical men. They have put forward a plan consisting of a preamble and four articles. The language of the articles is technically precise and is chosen with great care. The articles have a definite meaning, and are to be construed according to the rules of courts for interpreting legal documents. Imperfection in such a document cannot possibly be a virtue. It is inevitably and in every case a fault. All talk about imperfection or perfection of the plan, however, is immaterial. The plan provides for the closest political connection between independent nations which any enlightened person could think possible. It is thus incapable of being perfected—certainly not at the present time. There is no

certainty that it can ever be "perfected." The only question before the public is whether or not the present plan of the League, consisting of a preamble and four articles, would, if put into execution, increase and extend war or diminish and prevent war.

It is charged that the plan was "misstated." It was not misstated. The words used were as follows:

"The plan may be construed as providing that the League shall compel its members to submit to having their disputes with other members submitted to adjudication or conciliation, or as providing that the League shall punish or abolish any nation refusing to submit to adjudication or conciliation."

This statement is clear and correct. It cannot be misunderstood. The essence of the plan and its only novelty is the compulsion and punishment (possibly the abolition) of nations by a league of nations. The author of the article says: "The word that ought to be emphasized is not compulsion, but prevention." But prevention is only a possible inference from compulsion. The compulsion is the fact; it is upon compulsion that the nations are asked to agree. Each nation is to agree to compel and to be compelled in certain circumstances. The compulsion agreed upon, if carried into effect, may or may not prevent war. Those who infer from the proposed compulsion that breaches of the peace will be prevented and the possibility of war diminished will adhere to the League to Enforce Peace. Those who infer that the proposed compulsion will afford new causes for breach of the peace, and will increase and extend war, will oppose the League. That the advocates of the League, therefore, should "emphasize prevention" is natural and proper; but if they present "prevention" to the public in any other way than as their own inference from the essential fact of compulsion, it seems clear that they will expose themselves to the charge of disingenuousness. If they are truly ingenuous, they will carefully explain to the public that the plan contemplates the compulsion of nations by war, and will discuss this compulsion before the public in all its bearings; then they will discuss the prevention of war as an inference from the compulsion by war. When the great war now raging is over, and reason again resumes its sway over emotion, it may well be doubted whether such an explanation of the League's platform would increase its membership; but converts so made would be worth having.

The specific answers to specific objections cannot be discussed in the space allowed. It is sufficient to say that none of these objections appear to be met.

A word concerning the alleged "hospital" and "school" analogies: It is quite possible that a number of persons might establish an institution and call it a "hospital" or "school," and that nevertheless the institution might not be a "hospital" or "school," and might, in fact, operate to increase and extend existing disease or existing illiteracy, instead of preventing it. The establishment of an institution, and calling it a "hospital," a "school," or a "league to enforce peace," does not necessarily make it such. Whether it is such depends upon its constitution and manner of operation.

The author of the article apparently asserts, by implication, that the British Empire is a federal state. This

is, of course, not the case. The British Empire is sometimes called a federal empire, but even this term has no general acceptance. It is an aggregation composed of Great Britain and certain countries—some self-governing, some partially self-governing, and some non-self-governing—all of which are said to be “dependent on the British Crown,” which means, dependent on Great Britain. The British Parliament is the Supreme Legislature of the Empire; the British King, Privy Council, and Cabinet the Supreme Executive of the Empire, and the Judicial Committee of the British Privy Council the Supreme Judiciary of the Empire. The army and navy of the Empire is controlled by Great Britain. There is no legal limitation of the powers of Great Britain in the Empire, nor has it any designated sphere in the Empire in which it is supreme. It is supreme without limitation, and all the other countries of the Empire are subordinate and dependent. The periodical imperial conferences are only advisory.

The Imperial Federation movement, which was vigorously pressed between 1885 and 1895, had for its purpose the conversion of the British Empire into a federal state with an Imperial Parliament composed of delegates from Great Britain and the colonies and dependencies. The movement failed because all the parties concluded that it was impracticable—Great Britain because it necessitated a diminution of its prestige and world power, and the dominions because the interests were so diverse that none was willing to be bound by a majority vote. Dr. E. A. Freeman, the distinguished writer on the history and philosophy of federation, in his essay, “The Physical and Political Bases of National Unity,” in 1892, voiced the sentiment of Great Britain when he said:

“I am no lover of ‘empire’; I am not anxious for my country to exercise lordship over other lands, English-speaking or otherwise. But I will not, so far as one man can hinder it, have my country ruled over by any other power, even by a power in which my country itself has a voice. If it is proposed that the great and historic assembly which King Edward called into existence in 1295 shall keep its six hundredth anniversary by sinking to the level of the legislature of a Canton of a Britannic Confederation, then I shall be driven, however much against the grain, to turn Jingo and sing ‘Rule, Britannia!’”

The course which the British dominions and dependencies have taken in this war was determined by their existing relationship to each other and Great Britain. What course these countries would have taken if before the war they had all been recognized as independent, and had been asked to join a League to Enforce Peace, is a matter of pure speculation. Between the British Empire and the proposed League there is no analogy.

Nor does the alleged analogy between the League and the United States exist. If New York and Ohio were to fight each other, the American Union—the Federal State known as the United States of America—would wield the military and naval force of the United States as a unit, through the President as commander-in-chief, under the control of Congress, and subject to the limitations of the Constitution of the United States, and would compel any State which resisted it, by punishment through war, to observe the Constitution of the

United States, as a member-State of the Union. The difference between the proposed “joint” action—that is, the joint and several action—of independent nations having no connection with each other except by a treaty couched in ambiguous terms obligating them in certain circumstances to wage war against a nation or nations, each nation interpreting the treaty for itself, and the action of the United States as a Supreme Federal State in upholding its own Constitution and maintaining its own peace and unity against its warring members, is too evident to require elaboration.

The undertaking of the vague and dangerous liabilities which the nations of the proposed League would assume would have far-reaching consequences—consequences which cannot be foreseen. The Constitution of our nation wisely gives no power to the United States voluntarily to abdicate permanently any part of its sovereignty to any political union or other foreign power. This is one of the powers referred to in the ninth amendment, which is not delegated to the United States and is reserved to the people and States. This power is not included or inferred in the power to admit new States into the Union. It is the antithesis of that power. It is not included or inferred in the treaty-making power. The power of a nation to enter into a union with other nations under a compulsive constitution supreme over the National Constitution, thus transforming its independence into dependence on a supernational authority, is not a power to make a treaty, but a power of self-abnegation transcending and differing from all other powers. Even the provision relating to amendment of the Constitution of the United States does not apply, since the exercise of the power to enter into a compulsive political union necessitates not the amendment of the Constitution, but the superseding of it in part by a superconstitution. Only the people and States of the United States, assembled in constitutional convention, have power voluntarily to abdicate permanently to the proposed nebulous supernational compulsive League a part of the sovereignty of the United States, and thus permanently to subordinate the nation to an external power.

That the compulsive feature of the plan of the League will be accepted by the people of the United States or by the people of any other nation, appears unlikely. The reasoned criticism to which it has already been subjected from many sources has shown negatively its ineffectiveness, and positively its dangers.

BETTER FEELING TOWARD THE JAPANESE IN CALIFORNIA

By KIYO SUE INUI

AMERICA has done Japan a great honor in sending as the exchange professor one of its best representatives to that country in return for Dr. Nitobe's visit to this. As I wished Dr. Hamilton Wright Mabie “bon voyage and a ‘good time’ in Japan,” he was sure that he would have it. “If anything,” he remarked, “I may have a little too much of it.” He perhaps did not know, or most likely was too big to know, that there were some Japanese who were not quite as polite and courteous as